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LETTER DATED 26 FEBRUARY 1996 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to convey the attached communications, both dated 26 February 1996, which I have received from the Secretary-General of the North Atlantic Treaty Organization.

I would appreciate your bringing them to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

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Annex I

Letter dated 26 February 1996 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

In accordance with the provisions of United Nations Security Council resolution 1031 (1995), I have pleasure in transmitting to you the third report on the operation of the Implementation Force (IFOR) in Bosnia and Herzegovina.

I wish to assure you that the North Atlantic Council remains committed to playing its full part in securing a lasting and durable peace. I myself visited Mostar on 12 February 1996 and publicly expressed my support for the European Union's Administrator. I have also remained in close personal contact with the High Representative, Mr. Carl Bildt, to whom I am sending a copy of this letter. IFOR's mission continues in close cooperation with him.

It is also essential for IFOR to be able to conduct a full dialogue with the parties. I welcome the undertakings given in this regard at the Rome summit last week, and the fact that the Bosnian Serbs have now re-established dialogue with IFOR at all military levels.

I am writing to you separately with respect to paragraph 2 of United Nations Security Council resolution 1022 (1995).

(Signed) Javier SOLANA

Appendix

Third report to the United Nations Security Council on IFOR operations

The present report covers the period between the last report (S/1996/49, annex), dated 23 January 1996, and 22 February 1996.

Deployment of the Implementation Force (IFOR)

1. IFOR is now firmly established and fully capable of executing its tasks under the Peace Agreement for Bosnia and Herzegovina. With the deployment of all forces of the North Atlantic Treaty Organization (NATO) by 18 February, the three Multinational Divisions (MND) are well established in their respective areas of responsibility. This will be further consolidated as further forces from the non-NATO contributors transfer under IFOR control. IFOR forces continue to monitor compliance with the military aspects of the Peace Agreement by means which include marking the inter-entity boundary line (IEBL), patrolling in the zone of separation (ZOS) along the agreed cease-fire line (ACFL) and in the areas of transfer (AOT), and monitoring mine clearance in those areas.

2. IFOR air assets have supported the safe movement of forces into theatre. These air assets will continue to provide a robust capability to secure the air space, defend and support IFOR ground forces and monitor compliance. The maritime assets currently deployed both in support of IFOR and for Operation Sharp Guard also continue to provide surveillance, a presence to seaward of the coast and, embarked, the theatre reserve. In addition, maritime mine clearance assets provide a continuous survey of the routes leading to ports used by IFOR and have successfully cleared a number of obsolete mines from the First and Second World Wars.

3. The media coverage of IFOR operations remains extensive and generally supportive. The locally produced IFOR newspaper, Herald of Peace, is now on its sixth edition and IFOR radio broadcasts from four IFOR transmitters. There has also been a concerted effort to distribute handbills and posters to explain the terms of the peace agreement and to expand mine safety and awareness.

4. The deployment of IFOR has been greatly facilitated by the excellent cooperation of the United Nations Peace Forces during the period of transition following the termination of the United Nations Protection Force (UNPROFOR) mandate.

Participation by non-NATO countries

5. Since the last report, Austria, the Czech Republic, Finland, Hungary, Lithuania, Malaysia, Poland and Ukraine have joined Sweden in transferring their forces under IFOR control and the Russian force has deployed with MND (North) under separate command arrangements. Jordan and Morocco have been formally invited to contribute forces, and discussions continue with Albania, Bangladesh and Bulgaria.

Risk assessment

6. The direct risks to IFOR troops remain those of rogue or extremist elements and the continued, albeit reducing, risk posed by residual foreign forces. Occasional sniping and shooting incidents have also continued and are assessed as coming mainly from disaffected elements of the parties. IFOR continues to adopt self-protective measures for the security of its personnel.

7. Apart from these direct risks, the very large number of mines that are scattered throughout Bosnia pose the most significant danger to IFOR personnel and others. A number of incidents have already caused casualties to IFOR and local people and, notwithstanding the efforts of the parties to mark and clear the minefields, the problem remains very great. The inaccuracy of the information on known minefields, the quantity of mines, poor weather and the lack of proper mine marking and clearing equipment has significantly impaired the parties' ability to comply on this issue.

Cooperation and compliance by the parties

8. The latest deadline in the Peace Agreement, D+45, has passed. In summary, the current IFOR compliance assessment is as follows:

- The general cease-fire continues to hold and the parties remain generally in compliance with the Cessation of Hostilities. The incidents of sniper firing have diminished, although the risk remains.

- As required by the Peace Agreement, by D+45 the parties had withdrawn their forces from the AOT.

- On 16 February a number of undeclared anti-aircraft guns were confiscated within the ACFL ZOS of the MND (North) area of responsibility. IFOR has since determined that all heavy weapons have been declared or removed from within 10 kilometres of the ACFL ZOS. On occasions, IFOR was denied access to weapon storage sites, but subsequently was allowed access. While overall compliance is good, we are concerned about these apparent attempts to test IFOR's resolve.

- Although there have been positive indications of the voluntary removal of foreign forces, some remain. Cooperation with the civil authorities to expedite this requirement is continuing. It is however considered that full compliance has yet to be achieved. On 15 February, IFOR detained 11 persons and significant quantities of arms, explosives and bomb manufacturing equipment. Three of these detainees were foreign nationals but, as one carried diplomatic status he was released immediately. The remaining 10 were handed over to the Bosnian Ministry of the Interior and the 2 other foreign nationals have since been released. It has since been reported that all three foreign nationals have left the country.

- All parties appear still to be holding prisoners of war (POWs). It is to be hoped that continued political pressure will be brought to bear on the parties to ensure compliance with the provisions of the Peace Agreement on the release of POWs.

- Restrictions on the freedom of movement for refugees and displaced persons are occurring more frequently and include civilian police checkpoints, some of which appear to have been extorting money for right of passage. Although IFOR monitors and reports on such incidents, the relevant civil authorities should impose their control over these restrictions as soon as possible.

- IFOR's freedom of movement has also been impaired on occasions in the pursuance of their monitoring functions. This has resulted in a number of dangerous stand-off incidents. It has been made clear that restrictions on IFOR's freedom of movement will not be tolerated.

- There is mounting concern over the apparent re-badging of military personnel as police and their deployment into contentious areas. IFOR intends to continue monitoring this.

9. The Joint Military Commission (JMC) has continued to develop its role of providing a regular, joint and transparent forum for resolving disputes and building confidence. These meetings between the parties and IFOR commanders have focused on sniping by disaffected elements, weapons holdings and storage, prisoner exchange, freedom of movement and ZOS withdrawal plans, as well as the transitional situation in Sarajevo and Mostar, which remains of serious concern.

10. IFOR will continue to execute its mission in an evenhanded manner. Cooperation with Bosnian Serb authorities was, however, set back following the detention by the Bosnian Government of suspected Bosnian Serb war criminals at the beginning of February. This resulted in a curtailment of Bosnian Serb cooperation with IFOR, including participation in JMC. This issue was addressed with the Presidents of Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia (Serbia and Montenegro) during the summit meeting in Rome on 17 and 18 February.

Cooperation with international organizations and the High Representative

11. IFOR continues to cooperate closely with the High Representative and there is IFOR representation on most of the joint civil commissions. Close cooperation has also been established, both through direct contacts and the civil/military cooperation process, with international organizations including the Organization for Security and Cooperation in Europe (OSCE), the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Committee of the Red Cross (ICRC) and the International Police Task Force (IPTF). IFOR will continue to assist the High Representative and the international organizations as far as its principal tasks, as defined in the Peace Agreement, and available resources allow. In particular, the establishment of IPTF is critical to the process of stability and IFOR therefore hopes that the full complement of police officers required by IPTF will be deployed shortly.

12. IFOR continues to support the efforts of the International Criminal Tribunal for the Former Yugoslavia to bring persons indicted by the Tribunal to justice. The Tribunal has expressed its satisfaction with the assistance received from IFOR. Practical arrangements are in hand with the Tribunal concerning the arrangements for IFOR to detain any persons indicted by the Tribunal who come into contact with IFOR in its execution of assigned tasks in order to assure the transfer of these persons to the Tribunal. The Prosecutor of the Tribunal, Justice Goldstone, has met the NATO Secretary-General and the NATO Supreme Allied Command Europe (SACEUR) to review this and to discuss logistic support to the Tribunal. Concerning the latter, IFOR will support the discharge of the Tribunal's mandate in Bosnia and Herzegovina to the extent of its capabilities, taking account of its assigned tasks and resources. IFOR has also undertaken to carry out air reconnaissance of suspected mass grave sites and to report all suspicious activities detected near such sites by IFOR patrols carrying out their duty. IFOR responded positively to a Tribunal request to assist in the secure transfer of two individuals from Sarajevo to the Hague on 12 February for further investigation by the Tribunal.

Annex II

Letter dated 26 February 1996 from the Secretary-General of the North Atlantic Treaty Organization addressed to the Secretary-General

Further to my letters of 23 January (S/1996/49) and 6 February 1996 (S/1996/87), I am writing with respect to paragraph 2 of Security Council resolution 1022 (1995).

I am now able to report to you the assessment of the Commander of the Implementation Force that Bosnian Serb forces have withdrawn from the zones of separation established in the Peace Agreement.

(Signed) Javier SOLANA